

POLICY NO LG17 DEALING WITH DIFFICULT CUSTOMERS POLICY

DEPARTMENT:	Corporate Services
RESPONSIBLE OFFICER:	Manager Corporate Services
LINK TO STRATEGIC PLAN:	Create an informed and involved community by developing channels of communication
STATUTORY AUTHORITY:	Local Government Act 1993 Right to Information Act 2009
OBJECTIVE:	<p>Break O'Day Council is committed to:</p> <ol style="list-style-type: none"> a. Ensuring that all customers are treated fairly and reasonably. b. Providing guidance, education and training as appropriate for staff and Councillors in dealing with customers. c. Ensuring that Council resources are used efficiently and effectively when dealing with customers. <p>This policy relates to all dealings with customers by Break O'Day Council and in particular those difficult customers who:</p> <ul style="list-style-type: none"> • Cannot be satisfied • Make unreasonable demands • Constantly raise the same issue with the same or different staff • Are rude, aggressive or abusive.
POLICY INFORMATION:	<p>Adopted 19 March 2012 – Minute No 03/12.15.4.069 Amended 17 March 2014 – Minute No 03/14.11.11.056 Amended 20 April 2015 – Minute No 04/15.11.15.98 Amended 19 February 2018 – Minute No 02/18.12.5.30 Amended 21 February 2022 – Minute No 02/22.13.4.25</p>

POLICY

1. SERVICE COMMITMENT

Council will strive to meet the needs of our customers in a professional and ethical manner with courteous and efficient service, as per Council's adopted Customer Service Charter.

2. CUSTOMERS WHO CANNOT BE SATISFIED

Customers who cannot be satisfied include members of the public or groups who:

- do not accept that Council is unable to assist them or provide any further assistance or level of service than has been provided already, and/or
- disagree with the action Council has taken in relation to their complaint or concern.

If in the opinion of the General Manager, a customer cannot be satisfied after all appropriate avenues of internal review or appeal have been exhausted and, the customer continues to write, telephone, email and/or visit Council, the General Manager may write to the customer, restate Council's position on the matter and advise that if the customer continues to contact Council regarding the matter Council may:

- Not accept any further phone calls from the customer
- Not grant any further interviews
- Require all further communication to be put in writing
- Continue to receive, read and file correspondence but only acknowledge or otherwise respond to it if:
 - a) The customer provides significant new information relating to their complaint or concern; or
 - b) The customer raises new issues which in the General Manager's opinion, warrant fresh action.

The General Manager shall advise Councillors of a person who is deemed to be a "customer who cannot be satisfied", the customer's concerns, and any proposed management strategy by Council officers.

The customer shall be given an opportunity to make representations to the General Manager about Council's proposed course of action.

If the customer continues to contact Council after being advised of Council's proposed course of action, the General Manager may, after considering any representations from the customer, advise the customer that any or all of the points above will now apply.

3. CUSTOMERS WHO MAKE UNREASONABLE DEMANDS

Customers who make unreasonable demands include members of the public whose demands on Council start to significantly and unreasonably divert Council's resources away from core functions or create an inequitable allocation of resources to other customers. Such demands may result from the amount of information requested, the nature or scale of services sought or the number of approaches seeking information, assistance or service.

If in the opinion of the General Manager, a customer is making unreasonable demands on the Council and the customer continues to write, telephone and/or visit the Council, the following actions may be taken:

- a) The General Manager may write to the customer advising them of Council's concern and request that they limit and/or focus their request and that if the customer continues to place unreasonable demands on the organisation Council may:
 - i. Not respond to any future correspondence and only take action where, in the opinion of the General Manager the correspondence raises specific, substantial and serious issues; or
 - ii. Only respond to a certain number of requests in a given period.
- b) The customer shall be given an opportunity to make representations to the General Manager about Council's proposed course of action.
- c) If the customer continues to contact Council after being advised of Council's proposed course of action, the General Manager may, after considering any representations from the customer, advise the customer that either or both of points (i) and (ii) above will now apply.
- d) The General Manager shall advise Councillors of any correspondence issued in accordance with clause 3(a).

4. CUSTOMERS WHO CONSTANTLY RAISE THE SAME ISSUE WITH DIFFERENT STAFF

If in the opinion of the General Manager, a customer is constantly raising the same issues with different staff, the following actions may be taken:

- a) The General Manager may notify the customer that:
 - Only a nominated staff member will deal with them in future
 - They must make an appointment with that person if they wish to discuss their matter; or
 - All future contact with Council must be in writing.
- b) The customer shall be given an opportunity to make representations to the General Manager about Council's proposed course of action.
- c) The General Manager shall advise Councillors of any notification issued in accordance with clause 4(a).

5. CUSTOMERS WHO ARE RUDE, AGGRESSIVE OR ABUSIVE

Rude, aggressive or abusive behaviour may include rude or otherwise vulgar noises, expressions or gestures, verbal abuse of a personal or general nature, threatening or offensive behaviour, physical violence against property or physical violence against a person.

If in the opinion of any Council personnel; rude, aggressive or abusive comments or statements are made in telephone conversations or interviews, that person shall:

- a) Warn the customer that if the behaviour continues or occurs again at any time, the conversation or interview will be terminated; and
- b) Terminate the conversation or interview thereafter if the rude, aggressive or abusive behaviour continues or occurs again at any time after a warning has been given.

Where a conversation or interview is terminated in accordance with Clause 5, the Council officer must notify the General Manager or the relevant Department Manager of the details as soon as possible.

If in the opinion of the General Manager, any correspondence to Council contains personal abuse, inflammatory statements or material clearly intended to intimidate, it will be returned to the sender and not otherwise acted upon unless it is regarded by the General Manager as being serious enough to warrant forwarding to another authority (eg. Police).

6. GENERAL

In all of the situations referred to in this policy, adequate documentary records must be made and maintained in Council's records system.

Where the General Manager determines to limit a customer's access to Council in any of the ways specified in this policy, the General Manager will advise Councillors as soon as possible of the relevant circumstances and the action taken, and forward such advice where appropriate, to the Department of Local Government and the Ombudsman for information.

7. MONITORING AND REVIEW

This Policy will be reviewed every three (3) years in line with the Council's Policy Framework or earlier in the event of major changes to legislation or related policies, procedures or if deemed necessary by the General Manager.